

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3554

IN THE MATTER OF:

Served September 14, 1990

Application of WINTER GROWTH, INC.,)
for Temporary Authority to Conduct)
Charter Operations For the)
the Transportation-Disadvantaged)

Case No. AP-90-36

By application filed August 28, 1990, Winter Growth, Inc. (Winter Growth or applicant), seeks temporary authority to transport transportation-disadvantaged 1/ passengers in round-trip charter operations from points in Montgomery County, MD, to points in the Metropolitan District, and return.

Applicant would conduct the proposed operations in five vehicles ranging in size from six to 15 passengers. Three of the vehicles are equipped for non-ambulatory use. Winter Growth's proposed tariff lists charter rates of \$30 for the first hour of service and \$12.50 for each additional half-hour. The proposed operations would be conducted between 9:00 a.m. and 2:30 p.m., Monday through Friday, and anytime on Saturday and Sunday.

With its application Winter Growth submitted a balance sheet as of March 31, 1990, showing current assets of \$143,481.29, and fixed assets of \$874,436.52. Current liabilities are listed as \$118,298.69, long-term liabilities of \$340,000 and "resources" of \$559,619.12. Winter Growth's operating statement for the period July 1, 1988, to June 30, 1989, lists revenue of \$717,624.17 and expenses of \$680,468.69. For the first year of operations proposed herein, applicant expects to generate \$46,320 in revenue with concomitant expenses of \$45,343. 2/

Mr. Peter Monge, president and chief executive officer of Montgomery General Hospital, supports the application. Montgomery General Hospital operates the "Host" volunteer program by filling requests for transportation services for the transportation-

1/ Transportation-disadvantaged persons are those individuals who by reason of age, physical or mental disabilities are unable without special facilities or special planning or design to utilize transportation facilities and services as effectively as persons who are not so affected." Order No. 2015, served August 7, 1979, at pp. 3 and 4.

2/ Title II, Article XII, Section 4(d)(3) of the Compact limits grants of temporary authority to 180 days.

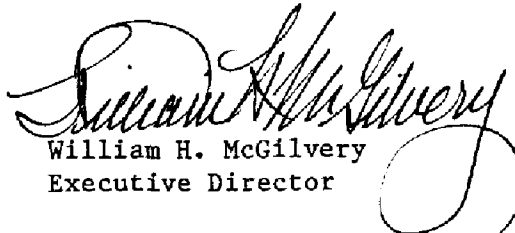
disadvantaged. Mr. Monge attested that passenger needs cannot be met by the County support bus systems. Mr. Monge believes that the proposed service would benefit participants of the Host program.

Ms. Ann Johnson, a social worker employed by Manor at Layhill, a nursing home located in Montgomery County, MD, supports the application. Ms. Johnson believes that there is a need for additional transportation services for the transportation-disadvantaged. Ms. Johnson states that nursing home residents require transportation to and from activities in the community.

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) an immediate and urgent need for service, (2) no other carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of Winter Growth's application, and a brief period will be established for the filing of protests if any. Each protest should contain all evidence and argument upon which protestant would rely. No extension of time will be granted. The application is available for inspection at the office of the Commission during regular business hours.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a notarized protest in conformance with Commission Rule No. 14 at the office of the Washington Metropolitan Area Transit Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Tuesday, September 25, 1990, and shall simultaneously serve a copy of such protest on applicant's president, Margaret Burba Babbitt, Winter Growth, Inc., P.O. Box 186, Sandy Spring, MD 20860.

FOR THE COMMISSION:


William H. McGilvery
Executive Director